

**MICHIGAN DEPARTMENT OF COMMUNITY HEALTH
BUREAU OF HEALTH SYSTEMS**

REPORTABLE EVENTS GUIDELINE

Reportable Events Include Alleged:

1. Abuse, including a resident to resident, staff to resident, visitor to resident abusive act that is willful, with physical harm, pain or mental anguish;
2. Neglect with physical harm, pain or mental anguish;
3. Mistreatment, with physical harm, pain or mental anguish;
4. Injuries of suspicious origin; and
5. Misappropriation.

A. Examples of abusive acts are:

- Hitting;
- Slapping;
- Kicking;
- Unreasonable confinement, involuntary seclusion;
- Intimidation;
- Deliberate infliction of pain intended as correction or punishment;
- Physical threats;
- Use of oral written, or gestured language that willfully includes disparaging or derogatory terms to residents or their families;
- Humiliation, harassment, threats or punishment or deprivation;
- Sexual abuse, sexual harassment, sexual coercion, or sexual assault, unwelcome touching of a sexual nature, request for sexual favor;
- Intentionally withholding food, care, medications, assistance;
- Failure to provide goods and services necessary to avoid harm, mental anguish, mental illness;
- Separation of a resident from other residents or other confinement against the resident's will.

B. Examples of physical harm, pain or mental anguish are:

- Cuts, skin tears, bruising, puffiness, tenderness that impair function or limited range of motion or mobility;

- Sprains;
- Fractures;
- Broken bones;
- 1st or 2nd degree burns;
- Any injury that impairs function of arm, leg, hand;
- Visible emotional distress, withdrawal or fear.

C. "Willful" means deliberate or intentional, not accidental.

"Willful" means that the individual intended the action itself, that he/she knew or should have known it could cause physical harm, pain or mental anguish. Even though a resident may have a cognitive impairment, he/she could still commit a willful act.

D. Instances of abuse of all residents, even those in a coma, cause physical harm, pain or mental anguish.

E. Use of disparaging and derogatory terms can be abuse regardless of age, ability to comprehend, or disability of resident.

F. Properly trained staff should be able to respond appropriately to resident behavior. CMS does not consider striking combative resident an appropriate response in any situation. Retaliation by staff is abuse and should be cited as such.

RULES

1. Incidents are reportable on BHS-OPS-362.
2. Investigation results on BHS-OPS-363 are required if a BHS-OPS-362 report is filed.